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Colgate University, Hamilton, N.Y.

MADISON UNIVERSITY,

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HAMILTON, N. Y.

CHARTERS,

COMPACTS

AND

BY-LAWS.

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THE CHARTER

OF

MADISON UNIVERSITY.

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AN ACT to incorporate Madison University. Passed March 26, 1846, by a two-third vote.

The People of the State of New York, represented in Senate and Assembly do enact as follows:

1. Friend Humphrey, Seneca B. Burchard, William Colgate and their associates are hereby constituted a body corporate, by the name of "The Madison University," for the purpose of promoting literature and sciencce. The said corporation shall have perpetual succession, with power to sue and be sued; to make and use a common seal, and alter the same at pleasure; to hold real and personal property; but it shall not at any one time, own real estate yielding an annual income exceeding ten thousand dollars. The location of the said University, shall be at the village of Hamilton, in the county of Madison.

2. Friend Humphrey, Seneca B. Burchard, William Colgate, William L. Marcy, Palmer Townsend, William Cobb, Ira Harris, Henry Tower, Nathaniel Kendrick, Alvah Pierce, Bartholomew T. Welch, Edward Bright, Jr., William R. Williams, Robert Kelley, Harvey Edwards, Charles Walker, Smith Sheldon, Joseph Caldwell, John Munro, John N. Wilder, George Curtiss, Elisha Tucker, Pharcellus Church, James Edmunds, Joseph Trevor, Amos Graves, and Alonzo Wheelock, are

hereby appointed Trustees of the said corporation, with power to fill any vacancy in their Board; of whom nine members shall constitute a quorum for the transaction of business.

3. The said Board of Trustees shall appoint the professors, and such other instructors as they may deem necessary, subject to removal by a majority of the votes of all the members constituting the Board.

4. The said University may grant to students under its charge, diplomas or honorary testimonials, in such form as it may designate. It may also confer such literary honors, degrees and diplomas as are usually granted by any University, College or Seminary of learning in the United States.

5. Diplomas granted by the University, shall entitle the possessors to the immunities and privileges, allowed by usage or statute, to the possessors of like diplomas from any college or seminary of learning in the State.

6. No diploma shall be conferred by the University, but in conformity with the laws of the State, in force at the time of conferring the same.

7. The said University shall be subject to the visitation of the Regents of the University of this State, in the same manner and to the same extent, as the various colleges in this State.

8. The Corporation hereby created, shall possess the powers, and be subject to the provisions of the third title eighteenth chapter of the first part of the revised statutes, so far as the same are applicable and have not been repealed.

9. The Baptist Education Society of the State of New York is hereby authorized to make such arrangement with the said University, for the transfer of the property of the said Society, or any part thereof, either absolutely or conditionally to the said University, as the said Society shall deem proper.

10. The Legislature may at any time alter, or repeal this act.

STATE OF NEW YORK: IN ASSEMBLY,
March 17, 1846.

This bill having been read the third time, and two-thirds of all the members elected to the Assembly voting in favor thereof: Resolved that the bill do pass.

By order of the Assembly,
WM. C. CRAIN, Speaker.

STATE OF NEW YORK: IN SENATE, *March 25, 1846.*

This bill having been read the third time, two-thirds of all the members elected to the Senate voting in favor thereof: Resolved, that the bill do pass.

By order of the Senate,
A. GARDINER, President.

Approved, this 26th day of March, 1846.
SILAS WRIGHT.

STATE OF NEW YORK: SECRETARY'S OFFICE.

I have compared the preceding with an original law on file in this office, and do certify that the same is a correct transcript therefrom, and of the whole of said original.

In testimony whereof, I have hereunto affixed the seal of this office at the city of Albany, the 7th day of April, in the year of our Lord 1846.

ARCH'D CAMPBELL, Deputy Secretary of State.

At the annual meeting of the Education Society, August 18, 1846, HON. IRA HARRIS, of Albany, offered the following resolution, which was unanimously adopted:

Resolved, That this Society approve of the recent successful effort made by their Board of Trustees, to procure from the State Legislature an Act of Incorporation for Madison University, and also the subsequent arrangement entered into with the Board of the University, whereby the said charter has been made available to the Literary Department of the Hamilton Institution.

THE FIRST COMPACT.

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The following terms of arrangement were agreed upon in joint conference of the two boards, adopted by each board June 9th, 1847, and ratified by the Education Society, August 18th, 1847:

Resolved, That this conference recommend to the Board of the Education Society and to the Board of the University, such terms of arrangement as shall preserve under the charge of *one* faculty, the several departments; and that shall at the same time, secure to the Education Board the control of the Theological Instruction.

Resolved, That we suggest the following as the outline of such arrangement:

1. That to the appointment of the Theological Professors, the act of the Education Board shall be sufficient; but to the removal of such Professors, the joint action of both Boards shall be requisite.

2. That to the Education Society shall be reserved the exclusive control of any endowments for Theological Professorships, and to the Board of the University the exclusive control of any endowments for Literary Professorships.

3. The Education Society to grant to the University the use of their property, [a schedule of which is attached,] to be employed for purposes of instruction. The Education Society to have the power of reclaiming the property thus granted, after two years notice given of their purpose, and with the reasons assigned therefor, in such notice.

4. The University shall sustain on the premises an Institution, in which candidates for the Christian ministry may receive suitable instruction. The Education Board to have the privilege of rooms free of rent, for all their beneficiaries, among such candidates, paying how-

ever for such beneficiaries the regular charges for tuition, and sending none of the beneficiaries to any other Institution.

5. The University shall sustain the whole expense of instruction both in the Literary and Theological departments, receiving however, from the Education Society the income of their endowments for theological education; such endowments to include the existing permanent funds for the support of professorships, (and any funds hereafter to be collected, for the support of theological professorships,) as also the legacy of JOHN FLEETWOOD MARSH.

6. The University Board is to make earnest and extended efforts for the collection of an endowment sufficiently large, to exempt from the necessity of continued appeals to the churches, but never so increased as to foster inaction in the faculty, or independence of the churches. The sum at present contemplated to be *fifty thousand dollars*, of which *twenty-five thousand* dollars shall be invested by the Education Society, with the advice of the University Board, for the endowment of theological professorships. The remaining *twenty-five thousand* to be invested by the University, the proceeds to be applied to the support of literary and scientific instruction.

The Conference farther resolved:

1. That these arrangements take effect September 1st, 1847.

2. That the cities of New York, Brooklyn, Williamsburg, and Albany be surrendered to the Board of Madison University, for the collection of the current expenses of said Board, for two years from the first of September next.

3. That no new professorship shall be constituted by the Board of the Education Society, without the consent of the University Board.

The Education Society, August 18th, 1847, made the following amendment to the first article, and the same was adopted by the University Board:

"That the Board of the University shall appoint such professors in the Theological Department as may be nominated by the Baptist Education Society of the State of New York, and shall also remove such professors in that department, as that society may direct."

THE SECOND COMPACT.

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The following Articles of Agreement were recommended in joint conference of both Boards, and adopted by each Board separately, February 9th, 1853:

1. The Institution consists of a Theological Seminary, a University proper, and an Academic Department, organized under one faculty, with one code of laws, the maintenance and general management of which, until otherwise directed by the Education Society, are in the hands of the Board of Madison University.

2. The power to make laws for the general regulation and discipline of the school in all its departments, resides with the Board of Madison University; but to prescribe the course of study in the Theological Seminary, including the text-books, belongs to the Board of the Education Society. While the president shall direct in the government and discipline of the University proper and Academic Department, the senior theologlcal professor and the president shall be associated as peers in the government and discipline of the Theological Seminary; but cases of suspension and expulsion shall be referred to the whole faculty.

3. The laws to be given by the University Board, as a guide to the faculty in governing the school, shall fully recognize the prerogatives of each professor, in his respective department.

4. The University having been created by the Education Society, through the State Legislature, to carry out its design in reference to Education, is bound to frame all its laws, and conduct all its operations in harmony with the terms of compact existing between it and the Education Society.

BY-LAWS

OF THE

CORPORATION OF MADISON UNIVERSITY.

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ART. I. The stated meetings of the board shall be on the Monday next preceding Commencement Day, at 3 o'clock, P. M. Special meetings may be called by the president or any five trustees. Notice of such call, stating the object of such meeting, shall be given by the secretary to each member of the board, not less than fifteen days before the meeting, and no other business than that named in the notice of such special meeting, shall be done without the consent of two-thirds of the members present.

ART. II. The officers of the board shall be a president, secretary, and treasurer, to be elected annually by ballot at the stated meetings—the election to take place after the reading of the minutes—but in case of failure to elect, the officers of the preceding year shall continue until superceded by an election.

ART. III. The president, or in his absence a president pro tem., shall preside at each meeting; decide points of order subject to appeal to the board; appoint all committees unless otherwise directed; and see that the business of the board is not impeded by conversation.

ART. IV. The secretary shall keep in a book a faithful record of the transactions of the board, with the names of members present at each meeting; shall attest the orders on the treasurer directed by the board; shall give due notice of each meeting; shall preserve on file all papers,

documents and reports of the board; and when he shall leave the office, he shall deliver to the board or his successor, all books, papers, or documents belonging to the board.

ART. V. The treasurer shall give sufficient bonds for the faithful discharge of his duties. He shall receive all monies paid into the treasury, and rightly appropriate the same. He shall collect interest and other dues. He is especially authorized to collect interest on all United States stocks, and state stocks and other registered stocks or bonds with power to appoint a substitute. He shall pay all orders of the board signed by a secretary, shall keep an accurate account under proper heads, of all receipts and disbursements, and make to the board an annual report of receipts and expenditures, and of the condition of all the funds. When he leaves office he shall deliver to his successor, or to the board, all funds, books and papers that belong to the office.

ART. VI. A provisional committee of five members shall be appointed, three of whom shall be a quorum, clothed with such powers as the board shall define. But any action of this committee shall require confirmation at the next meeting of the board, unless otherwise ordered.

ART. VII. All motions except for adjournment shall be made in writing, if required, and if seconded shall be stated by the president previous to discussion, and if not amended, may by the leave of the board, be withdrawn by the mover or seconder, any time prior to final decision. Any member may call for a division of the question when it is susceptible thereof.

ART. VIII. The board shall annually appoint, at its stated meeting in August, a librarian and a library committee of two members, a steward and janitor, patron, and college inspector, whose duties may be severally specified in the laws of Madison University.

ART. IX. Whenever a member wishes to speak or debate, he shall arise and address the chair, and no interruption shall be permitted unless by a call to order, or by consent of the speaker. No member shall speak more than twice on the same subject, nor more than fifteen minutes at once, unless by special permission of the board.

ART. X. Motions acted on and negatived shall not be recorded, unless directed by the board.

ART. XI. On the call of any two members the yeas and nays shall be taken on any matter before the board and recorded, with the vote of each member opposite his name.

ART. XII. Unless a member is speaking or the board voting, a motion to adjourn shall always be in order, and decided without debate.

ART. XIII. A motion to lay on the table shall be decided without debate, and the subject shall not be called up again for action until an adjournment has intervened, unless by unanimous consent.

ART. XIV. No member in attendance shall withdraw from the meeting, but by permission of the chair; nor from the business of the session, nor from voting on any question, unless excused by the board.

ART. XV. The minutes of each day's proceedings shall be read at the next day's session, and the whole of the minutes shall be read before the final adjournment.

ART. XVI. Though in the transaction of ordinary business, the charter quorum is to be deemed competent, yet in the election of president and professors, and in the removal of the same, and in fixing their salaries, and in altering the by-laws, the consent of the majority of the whole board shall be requisite.

ART. XVII. Every meeting of the board shall be opened and closed with prayer.

ART. XVIII. No alteration of these by-laws shall be made but at a regular stated meeting of the board.

ORDER OF BUSINESS.

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1. Call of the roll.
2. Prayer.
3. Reading and adopting the minutes.
4. Report of the provisional committee,
5. Report of the treasurer.
6. Annual report of the faculty.
7. Report of agents or superintendents.
8. Report of committees.
9. Unfinished business.
10. New business.
11. Prayer.

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MADISON UNIVERSITY.

BALANCE SHEET, JUNE 1st, 1887-1888.

Dr. Cash. Cr.

To Stock received,	$ 81,942.80	By Stock paid,	$ 78,300
Colgate Academy,	4,700.05	Colgate Academy Salaries and Expenses,	8,000.80
Interests,	30,024.94	Salaries,	24,000
M. U. Bills,	5,199.62	General Expenses,	2,769.15
Scholarships,	2,963.04	Janitor's department,	1,324.68
Prizes, ($660,)	190	Improvement Fund,	518.07
Dinner, &c.,	1,449.90	Library,	868.33
Tide over Fund,	600	Scholarships,	5,842.15
B. E. S.,	113.63	Balance,	5,560.80
	$127,183.98		$127,183.98

THE CHARTER

OF THE

BAPTIST EDUCATION SOCIETY

OF THE STATE OF NEW YORK.

—o—

AN ACT to incorporate the Baptist Education Society of the State of New York, passed March 5, 1819.

WHEREAS, the members of a society instituted in this state for the purpose of educating pious young men to the gospel ministry, have petitioned for an act of incorporation, the better to enable them to attain the objects of their association: Therefore,

1. Be it enacted by the people of the state of New York, represented in Senate and Assembly, That Obed Warren, Joshua Bradley, John Bostwick, John Peck, Silas Spaulding, Eliada Blakeslee, Elijah F. Miller, Thomas Cox, Charles Babcock, Charles W. Hull, and such other persons as now are, or hereafter may be associated with them, shall be, and hereby are, constituted a body corporate and politic, in fact and in name, by the name of the "Baptist Education Society of the state of New York," and by that name shall have succession, and be in law capable of suing and being sued, defending and being defended, in all courts and places, and in all manner of action and cases whatsoever, and may have a common seal, and change the same at their pleasure, and by that name and style, be capable in law of purchasing, holding and enjoying, to them and their successors, any real estate in

fee simple, or otherwise, and any goods, chattles, and personal estate, and of selling or otherwise disposing of the real and personal estate, or any part thereof, at their will and pleasure; provided, nevertheless, that the clear annual value or income of such real and personal estate shall not exceed the sum of five thousand dollars.

II. And be it further enacted, That the said associates and their successors, may, from time to time make such constitution, by-laws, ordinances and regulations for the appointment of officers, the government of the seminary, the management of their property, and conducting all their concerns, as to them shall appear proper; provided the same be not inconsistent with the laws or constitution of this state or of the United States.

III. And be it further enacted, That this act be and is hereby declared a public act, and that the same be construed in all courts and places, benignly and favorably, for every beneficial purpose therein intended, and that no misnomer of the said corporation in any deed, gift, grant, demise, or other instrument of contract or conveyance, shall vitiate or defeat the same; provided the corporation shall be sufficiently described to ascertain the intention of the parties; and provided always, that if the said society appropriate their funds, or any part thereof to any purpose or purposes, other than those intended and contemplated by this act, or shall at any time pass any law or regulation affecting the rights of conscience, that thenceforth the said corporation shall cease and be void; and also the Legislature may at any time alter or repeal this act, as in their discretion shall seem proper.

AMENDMENT, April 17, 1842.—The Baptist Education Society of the state of New York, incorporated by act of the Legislature, March 5th, 1819, may take, hold, and enjoy by gift, grant, or by devise, real and personal estate, to an amount, the clear annual value or income of which shall not exceed ten thousand dollars.

AMENDMENT, April 28, 1887.—The Baptist Education Society of the State of New York, incorporated by act of the Legislature, March 5th, 1819, may take, hold, and enjoy by gift, grant, or by devise, real and personal estate, to an amount, the clear annual value or income of which shall not exceed fifty thousand dollars.

CONSTITUTION

OF THE

BAPTIST EDUCATION SOCIETY

OF THE STATE OF NEW YORK.

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ARTICLE 1. The object of this Society shall be to furnish the means of instruction to such young men of the Baptist denomination as shall give to the churches of which they are members and to the Faculty of the Institution under the patronage of the Society, satisfactory evidence of their personal piety, and of their call to the Gospel Ministry.

ART. 2. Any person who is in good standing and fellowship in any regular Baptist Church, may become a member of this Society by paying into the Treasury, annually, the sum of one dollar, or a member for life by paying twenty dollars at any time or in four equal annual installments.

ART. 3. The officers of the Society shall consist of a President, a Vice President, a Recording Secretary, a Corresponding Secretary, and a Treasurer, to be annually chosen by ballot. There shall be also chosen thirty Directors, who, in connection with the officers above named, shall constitute a Board of Trustees, nine of whom shall constitute a quorum for the transaction of business. The Directors shall be divided into three classes of ten each, each of which shall be chosen annually by ballot for the term of three years. All the members of the Board and other acting officers, as well as the immediate beneficiaries of the Society, shall be members in good standing of some regular Baptist Church.

ART. 4. THE BOARD OF TRUSTEES shall transact the business of the Society; take charge of its property; fill vacancies in their own body; appoint beneficiaries and necessary agents; keep a faithful record of their proceedings, and make an annual report of the same to the Society. The Board shall have the especial oversight of the THEOLOGICAL SEMINARY connected with the Madison University; shall direct the course of instruction in this department; secure, as far as practicable, endowments for it, and appoint Professors and Teachers; doing all things in accordance with arrangements authorized by the University Charter, and existing between the two Boards.

ART. 5. The Treasurer shall receive all moneys and other property belonging to the Society, and make investments of the same in the name of the Society, in the safest

and most productive forms, under the direction of the Board; shall make payments of money from time to time agreeably to the order of the Board; shall render to the Society, annually, a written account of all the receipts and expenditures within the year; of the amount of its funds and the manner in which they are invested; he shall give to the Board, whenever they request it, a particular account of the state of the Treasury, or any portion of its funds; he shall give full and ample security to the Board for the faithful discharge of the duties of his office. The Treasurer's accounts, before they are presented to the Society, shall be audited by a committee appointed by the Board for that purpose.

ART. 6. The Society may appoint a discretionary number of Honorary Vice-Presidents, and any person may become an Honorary Life Director by paying into the Treasury the sum of fifty dollars, and shall have a right to sit and deliberate in all meetings of the Board.

ART. 7. The President, and in his absence, the Vice President, shall have power, at the request of three Directors, to call special meetings of the Society by giving due public notice thereof.

ART. 8. The annual meetings of the Society shall be held at such times and places as the Board may direct, unless the Society shall have otherwise determined.

ART. 9. Any alteration may be made in this Constitution at an annual meeting, by a vote of three-fourths of the members present, provided that notice shall have been given one year previous.

BY-LAWS OF THE BOARD OF TRUSTEES.

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1. The sessions of the Board shall be opened and closed with prayer.

2. The following shall be the order of business:

1. Reading of the minutes of the last meeting.
2. Reading of the Constitution and By-Laws.
3. Report of Executive Committee.
4. Report of Corresponding Secretary.
5. Report of the Theological Faculty of Instruction.
6. Reports of the Treasurer, Agent, Steward and Accountant.
7. Report of the Standing and Special Committees.
8. New Business.

3. All Committees shall be nominated by the presiding officer, and the first named on each committee shall be chairman thereof.

4. No resolution shall be discussed unless it be moved and seconded; and any resolution shall be reduced to writing at the request of any member of the Board.

5. Any member desirous of giving his views on any question before the Board shall rise and address himself to the presiding officer.

6. During the session of the Board it shall be the duty of each member to devote his undivided attention to the subject upon which it may be deliberating. No member shall leave the room without permission from the presiding officer.

7. At its first meeting the Board shall appoint an Executive Committee of not less than *seven* nor more than *ten*, consisting of the President, the Secretaries, the Treasurer and other members of the Board, five of whom shall be a quorum.

8. The Faculty of the Theological Seminary shall present at each stated meeting of the Board, a written report, giving a faithful view of the internal condition and prospects of the Seminary in various departments.

9. The Corresponding Secretary shall, at each stated meeting of the Board, make a written report on the general interests of the Society, and present such subjects for the action of the Board as he may believe its welfare demands.

10. The Treasurer, Agent, Steward and Accountant shall present written reports of the condition of their individual departments at each stated meeting of the Board.

11. The reports of all committees shall be presented in writing.

12. All orders given by this Board on the Treasury shall be signed by the Recording Secretary.

13. The stated meetings of this Board shall be held at Hamilton, on the third Wednesday in June; and on the Tuesday before the third Wednesday in June.

14. It shall be the duty of the President, or presiding officer, to enjoin the observance of all rules of order in these By-Laws, and no rule shall be suspended, or amendment made to them, but by a vote of the Board.

15. These By-Laws shall be read at each regular meeting of the Board, with the Constitution of the Society.

LIBRARY OF CONGRESS
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